

HB 464 / SB 795 Appendix

Practice of Audiology Legislation- Rebuttal to Opposition

Possible and Actual MSO (ear, nose, and throat,ENT)/MedChi (medical doctors,MD) concerns are noted in **black**.

Documented Rebuttals from Maryland Academy of Audiology (MAA) are in **red**.

Expanding scope (not modernizing):

- Audiology scope of practice definition is outdated with the technology in the profession, and with the clinical doctor required for the professional. Other clinical doctors (optometry, dentists, podiatry, and chiropractors) have updated their practice acts with modern terminology and language.
- **Evaluate**
 - “Evaluation” is already in the practice definition, including testing. HO 2-101 (2) (q) (1).
- **Diagnose**
 - The specific reference to ‘assessment/diagnosis/evaluation’ related to clinical training and the percentage of time a [student] must have, is already recognized for Audiologists in COMAR 10.41.03.03 B.(4)(a).
 - Audiologists are evaluating hearing acuity and diagnosing hearing loss, if applicable, via a Comprehensive Audiologic Evaluation. Physicians, per the Board of Examiners Spring Newsletter, 2016, cannot test hearing. There is no (technical component) TC/PC (professional component) split for CPT 92557 (Comprehensive Audiologic Evaluation). Therefore, the physicians are relying on the audiologists for this information.
 - Source: <https://www.aapc.com/codes/coding-newsletters/my-otolaryngology-coding-alert/reader-question-92557-does-not-apply-to-audio-techs-107381-article>
 - <https://www.aapc.com/blog/52001-when-to-apply-modifiers-26-and-tc/>
 - Didactic training to “diagnose” is required as part of the American Speech-Language Hearing Association’s (ASHA) CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
 - “Diagnosis” required as part of American Academy of Audiology’s (AAA) ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeccred.org/about-us/>
 - “Diagnose” is used in the U.S Dept. of Veterans Affairs (VA) scope of practice.
 - Source: Email: vhaaspsprogramoffice@va.gov
Web Address: <https://www.rehab.va.gov/PROSTHETICS/audiology/index.asp>
Description:
“Audiologists are licensed health care professionals who care for veterans and service members through the prevention, *diagnosis, and treatment* of hearing disorders that include hearing loss, balance impairment, and tinnitus. Audiologists counsel patients and families regarding good hearing health practices and advise them on appropriate *management strategies*.” (Emphasis added).

- “Diagnosis” is used in the Academy of Doctors of Audiology (ADA) model licensure for audiology.
 - Source: <https://www.audiologist.org/about-us/academy-documents/model-licensure-statute>
- “Diagnosis” is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
- “Diagnosis” is used in the American Speech-Language-Hearing (ASHA) model licensure for audiology.
 - Source: <https://www.asha.org/policy/sp2018-00353/>
- Audiology language mirrors the other clinical doctoring (non-physician) professions in Maryland, including:
 - **OPTOMETRY.**
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=11-101&enactments=false>
 - **PODIATRY.**
 - Source: <https://health.maryland.gov/mbpme/Pages/hoa.aspx>
 - **CHIROPRACTORS.**
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=3-101&enactments=false>
 - **DENTISTRY.**
 - Source: <https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=b3f60a68-496f-4b3f-9316-586e646f0947&config=014EJAA2ZmE1OTU3OC0xMGRjLTRINTctOTQ3Zi0wMDE2MWFhYzAwN2MKAfBvZENhdGFsb2e9wg3LFiffInanDd3V39aA&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A661B-JPP3-CGX8-04J8-00008-00&pdcontentcomponentid=234188&pdteaserkey=sr6&pditab=allpods&ecomp=8s65kkk&earg=sr6&prid=c5914f41-7642-43e5-897e-a8281f49518f>
 - Licensed Professional Counselor can both diagnose and treat.
 - Source: H.O. 17-6B-01(o),(y);
<https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=28aa737d-eb2e-46c7-bdcc-075953abaea5&config=014EJAA2ZmE1OTU3OC0xMGRjLTRINTctOTQ3Zi0wMDE2MWFhYzAwN2MKAfBvZENhdGFsb2e9wg3LFiffInanDd3V39aA&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A63SM-VX91-DYB7-W41R-00008-00&pdcontentcomponentid=234188&pdteaserkey=sr49&pditab=allpods&ecomp=bs65kkk&earg=sr49&prid=ad25de66-8c10-4312-8d9e-a412a034d052>
- The word “diagnose” mirrors the language of Audiology Scope of Practice in other states:
 - Colorado
 - Source: https://drive.google.com/file/d/0B-K5DhxXxJZbRFIEdVhVVE54TmM/view?resourcekey=0-NYAcD8U00QTeW_gOnWc70Q
 - South Carolina
 - Source: <https://www.scstatehouse.gov/code/t40c067.php>

- New Hampshire
 - Source: <http://www.gencourt.state.nh.us/rsa/html/XXX/326-F/326-F-1.htm>
- Utah
 - Source: https://le.utah.gov/xcode/Title58/Chapter41/C58-41_1800010118000101.pdf
- Alabama
 - Source: <http://abespa.alabama.gov/PDF/rules/Rules&Regulations2021.pdf>
- South Dakota
 - Source: https://sdlegislature.gov/Statutes/Codified_Laws/2060798
- Vermont
 - Source: <https://legislature.vermont.gov/statutes/fullchapter/26/067>

- **Manage**

- “Prevent or modify”, a form of management, is already in the practice definition. HO S2-101 (2) (q) (1).
- “Manage” is required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
- “Manage” is required as part of AAA’s ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeaccred.org/about-us/>
- “Management” is used in the Academy of Doctors of Audiology (ADA) model licensure for audiology.
 - Source: <https://www.audiologist.org/about-us/academy-documents/model-licensure-statute>
- “Managing” is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
- “Management” is used in the American Speech-Language-Hearing (ASHA) model licensure for audiology.
 - Source: <https://www.asha.org/policy/sp2018-00353/>
- Audiology language mirrors the other clinical doctoring professions in Maryland, including:
 - OPTOMETRY.
 - Source: <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gho§ion=11-101&enactments=false>
- “Management” mirrors the language of Audiology Scope of Practice in other states:
 - Alabama
 - Source: <http://abespa.alabama.gov/PDF/rules/Rules&Regulations2021.pdf>
 - Illinois
 - Source: <https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1325&ChapterID=24>

- **Treat**

- “Treat” is required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>

- “Treat” is required as part of AAA’s ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeaccred.org/about-us/>
- Hearing aid dispensing, selling, and fitting has been a part of the audiology scope of practice for years (Source: HO 2-101 (q) (2)), and implies treatment of hearing loss using air conduction hearing aids.
- “Treatment” is used in the VA scope of practice.
 - Source: Email: vhaaspsprogramoffice@va.gov
Web Address: <https://www.rehab.va.gov/PROSTHETICS/audiology/index.asp>
Description:
“Audiologists are licensed health care professionals who care for veterans and service members through the prevention, *diagnosis, and treatment* of hearing disorders that include hearing loss, balance impairment, and tinnitus. Audiologists counsel patients and families regarding good hearing health practices and advise them on appropriate *management strategies*.” (Emphasis added).
- “Treatment” is used in the Academy of Doctors of Audiology (ADA) model licensure for audiology.
 - Source: <https://www.audiologist.org/about-us/academy-documents/model-licensure-statute>
- “Treatment” is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
- “Treatment” is used in the American Speech-Language-Hearing (ASHA) model licensure for audiology.
 - Source: <https://www.asha.org/policy/sp2018-00353/>
- 2023 legislation (HB 401/SB 449) codified audiologists’ ability to prescribe, order prescription hearing aids, with the Food and Drug Administration’s (FDA) new category of prescription hearing aids. “Prescribe, order” are a form of treatment.
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0401?ys=2023RS>
- Osseo-Integrated Devices (defined in the language) and Cochlear Implants have a sound processor (defined in the language) that need to be prescribed, ordered, dispensed, and externally fit, similar to prescription hearing aids. These surgical systems are required when air conduction hearing aids are not beneficial for specific hearing loss.
 - The legislation clearly defines that audiologists are not performing surgery for Osseo-Integrated Devices, Cochlear Implants, or other reasons.
- Audiology language mirrors the other clinical doctoring (non-physician) professions in Maryland, including:
 - OPTOMETRY.
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=qho§ion=11-101&enactments=false>
 - PODIATRY.
 - Source: <https://health.maryland.gov/mbpme/Pages/hoa.aspx>
 - CHIROPRACTORS.
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=qho§ion=3-101&enactments=false>

- **DENTISTRY.**
 - **Source:** <https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=b3f60a68-496f-4b3f-9316-586e646f0947&config=014EJAA2ZmE1OTU3OC0xMGRjLTRINTctOTQ3Zi0wMDE2MWFhYzAwN2MKAfBvZENhdGFsb2e9wg3LFiffInanDd3V39aA&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A661B-JPP3-CGX8-04J8-00008-00&pdcontentcomponentid=234188&pdteaserkey=sr6&pditab=allpods&comp=8s65kkk&earg=sr6&prid=c5914f41-7642-43e5-897e-a8281f49518f>
- **Treat mirrors the language of Audiology Scope of Practice in other states:**
 - **Florida**
 - **Source:** http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0468/Sections/0468.1125.html
 - **Maine**
 - **Source:** <http://www.mainelegislature.org/legis/statutes/32/title32sec17101.html>
 - **Colorado**
 - **Source:** https://drive.google.com/file/d/0B-K5DhxXxJZbRFIEdVhVVE54TmM/view?resourcekey=0-NYAcD8U00QTeW_gOnWc70Q
 - **Alabama**
 - **Source:** <http://abespa.alabama.gov/PDF/rules/Rules&Regulations2021.pdf>
 - **Utah**
 - **Source:** https://le.utah.gov/xcode/Title58/Chapter41/C58-41_1800010118000101.pdf
- **Evaluate, Diagnose, Manage, and Treat are in physician’s definition of medicine.**
 - The physician’s definition is :“Practice of Medicine: diagnosis, healing, treatment, or surgery.”
 - **Source:** <https://dhs.maryland.gov/documents/Licensing-and-Monitoring/Maryland%20Law%20Articles/RCC/HEALTH%20OCCUPATIONS%20Title%2014%20Physicians.pdf>
- **Evaluate, Diagnose, Manage, and Treat are in physician’s definition of medicine. When these terms are used in other health occupations they are limited or qualified by a requirement for a higher level of education and training within that specialty. (ENT reply received 01/23/2024)**
 - The only education and training higher than a clinical doctorate degree is a physician’s training- Medical Doctor (MD) or Osteopathic Medicine (DO).
 - These words are in other provider’s Scope of Practice Statutes that have less didactic and clinical training than Audiologists.
 - Direct-entry midwives are providers who are not yet nurses have the following terminology:
 - Evaluating, laboratory tests, monitoring, suturing, obtain and administer medication.
 - **Source:** HO 8-6C-02; <https://law.justia.com/codes/maryland/2021/health-occupations/title-8/subtitle-6c/section-8-6c-02/>

- Psychologists:
 - Doctor of Psychology (PsyD) degree is required and have the following terminology:
 - Diagnosis, Treatment
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=18-101&enactments=false>
- Certified social worker-clinical:
 - Master's degree in social work and 12 additional credit hours, 2 years of experience with 3000 hours is required and have the following terminology:
 - Diagnosis, Treatment
 - Source: <https://health.maryland.gov/bswe/Pages/regulation.aspx>
- Occupational Therapists:
 - Master's degree in occupational therapy is required and have the following terminology:
 - Treat
 - Source: Occupational Therapists – TREAT – H.O. 10-101(l); <https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=52e50e92-63a3-4fbd-8209-6218aae854a2&config=014EJAA2ZmE1OTU3OC0xMGRjLTRINTctOTQ3Zi0wMDE2MWFhYzAwN2MKAFBvZENhdGFsb2e9wg3LFIffln>
- Physical Therapists:
 - Doctor of Physical Therapy (DPT) degree is required and have the following terminology:
 - Treatment programs
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=13-101&enactments=false>
- Clinical alcohol and drug counseling
 - Master's degree is required in Maryland and have the following terminology:
 - Diagnosis, Treatment
 - Source: https://docs.google.com/document/d/15liJmilU0gEsrTds3BBDUguf7j5AhNYylxUQ_qGOR8/edit
- Clinical marriage and family therapy
 - Master's degree is required and have the following terminology:
 - Diagnosis, Treatment
 - Source: https://docs.google.com/document/d/15liJmilU0gEsrTds3BBDUguf7j5AhNYylxUQ_qGOR8/edit
- Clinical professional art therapy
 - Master's degree is required and have the following terminology:
 - Diagnosis, Treatment
 - Source: https://docs.google.com/document/d/15liJmilU0gEsrTds3BBDUguf7j5AhNYylxUQ_qGOR8/edit

- Clinical professional counseling
 - Master’s degree and have the following terminology:
 - Diagnosis, Treatment
 - Source: https://docs.google.com/document/d/15liJmilU0gEsrfTdS3BBDUguf7j5AhNYylxUQ_qGOR8/edit
- **Auditory**
 - “Hearing” is already in the practice definition, including testing.
 - Source: HO S2-101 (2) (q) (1).
 - The definition of auditory is of, relating to, or experiences through hearing.
 - Source: <https://www.merriam-webster.com/dictionary/auditory>
 - Auditory is a more accurate terminology for hearing, tinnitus, auditory processing, etc.
 - Auditory is required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
 - Auditory is required as part of AAA’s ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeaccred.org/about-us/>
 - Auditory is used in the Academy of Doctors of Audiology (ADA) model licensure for audiology.
 - Source: <https://www.audiologist.org/about-us/academy-documents/model-licensure-statute>
 - Auditory is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
 - Auditory is used in the American Speech-Language-Hearing (ASHA) model licensure for audiology.
 - Source: <https://www.asha.org/policy/sp2018-00353/>
- **Vestibular**
 - “Vestibular” is already in the practice definition, including testing.
 - Source: HO S2-101 (2) (q) (1).
- **Human Ear**
 - Auditory and vestibular system are located in the human ear. Auditory consists of the external, middle, and inner ear. The vestibular system is located in the inner ear.
 - Source: <https://www.nidcd.nih.gov/health/how-do-we-hear>
 - “Ear” knowledge is required as part of AAA’s ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeaccred.org/about-us/>
 - Audiology language mirrors the other clinical doctoring professions in Maryland, including:
 - OPTOMETRY.
Optometry/human eye.
 - Source: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=11-101&enactments=false>
 - PODIATRY.
Podiatry/human foot or ankle.
 - Source: <https://health.maryland.gov/mbpme/Pages/hoa.aspx>

- **CHIROPRACTORS.**
Chiropractic/human body.
 - Source: <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gho§ion=3-101&enactments=false>
- **DENTISTRY.**
Dentistry/human mouth.
 - Source: <https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=b3f60a68-496f-4b3f-9316-586e646f0947&config=014EJAA2ZmE1OTU3OC0xMGRjLTRINTctOTQ3Zi0wMDE2MWFhYzAwN2MKAFBvZENhdGFsb2e9wg3LFiffInanDd3V39aA&pddocfullpath=%2Fshared%2Fdocument%2Fstatutes-legislation%2Furn%3AcontentItem%3A661B-JPP3-CGX8-04J8-00008-00&pdcontentcomponentid=234188&pdteaserkey=sr6&pditab=allpods&ecomp=8s65kkk&earg=sr6&prid=c5914f41-7642-43e5-897e-a8281f49518f>

- **Conducting Health Screenings**

- Screenings of many varieties are in public places (e.g., blood pressure screening at Walmart). Allowing a clinical doctor to complete a health screening does not introduce any more harm than a screening that an individual completes themselves.
- Screenings (related to the then Medicare PQRI system, PQRS system, and current MIPS requirements) were determined to not be a scope of practice issue, as it does not require diagnosis.
 - Source: <https://health.maryland.gov/boardsahs/Pages/minutes.aspx>
- Health screenings may aid in triage of patients and, with an appropriate referral, should not reference a specific insurance requirement (e.g., Medicare MIPS) that may change names in the future
- “Screening tools for functional assessment” are required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
- “Hearing screenings” is used in the Academy of Doctors of Audiology (ADA) model licensure for audiology.
 - Source: <https://www.audiologist.org/about-us/academy-documents/model-licensure-statute>
- “Screening” topic is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
- Used in the American Speech-Language-Hearing (ASHA) licensure.
 - Source: <https://www.asha.org/policy/sp2018-00353/>

- **Removal of a foreign body from the external auditory canal**

- Audiologists are currently licensed to remove cerumen. Often, when cerumen is removed and examined, foreign objects can be identified, including parts of a Q-tip, a hearing aid wax filter, or insects.
- When a foreign object is visualized during otoscopy, patients may be directed to an Urgent Care center for removal (not an ENT surgeon). These Urgent Care providers may have **less** training on cerumen removal compared to an audiologist.

- **Removal of cerumen from the external auditory canal**
 - “Cerumen Management” is already a part of the audiology regulations. Simply needs to be codified.
 - Source: Title 10 Subtitle 41 Chapter 07
 - <https://health.maryland.gov/boardsahs/Pages/regulations.aspx>
 - “Remove cerumen” is required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
 - “Remove cerumen” is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
 - “Cerumen management” is used in the American Speech-Language-Hearing (ASHA) model licensure for audiology.
 - Source: <https://www.asha.org/policy/sp2018-00353/>

- **Ordering of cultures and labwork**
 - “Medical and surgical interventions” for treatment is required as part of ASHA’s CAA accreditation of Doctor of Audiology educational programs.
 - Source: <https://caa.asha.org/reporting/standards/2023-standards-revisions/>
 - “Prescribe, perform and interpret clinical, laboratory, and other diagnostic procedures and tests...” is required as part of AAA’s ACAE accreditation of Doctor of Audiology educational programs.
 - Source: <https://acaeaccred.org/about-us/>
 - “Laboratory tests” is used in the American Academy of Audiology (AAA) model licensure for audiology.
 - Source: <https://www.audiology.org/practice-guideline/scope-of-practice/>
 - Britain's audiologist can order some lab tests - The development of next generation sequencing techniques, with many genes being tested in parallel as part of a 'panel test', has allowed expansion of the available testing for deafness to over a hundred genes. Previously, the service availability of a panel test for deafness was limited, expensive for individual clinicians to fund and there was a long wait for results. The introduction of the National Genomic Test Directory in England has standardized the criteria for the deafness panel test, which went live in April 2021, clarified which clinicians can request the test (including audiologists) and is funded centrally by NHS England.
 - Other non-physicians are recognized professions that can order lab test:
 - Licensed Acupuncturists (at least 5 states allow this).
 - Doctors of Chiropractic are allowed to order and interpret labs in all but 2 states.
 - Registered Dieticians (RD) can order labs just as long as they work in clinic or hospital & used to monitor effectiveness of dietary plans, and of course Pharmacists.
 - Direct-Entry Midwives.

- **Ordering and performing of in-office nonradiographic scanning or imaging of the external auditory canal**
 - Ear scanning/imaging using nonradiographic equipment is the newest technology for taking an impression of the external auditory canal. Current systems use a single use, disposable membrane and/or cameras to take a 3D image of the ear.
 - Source: <https://natus.com/sensory/otoscan/#info>

- Ear imaging/scanning using nonradiographic equipment is not new technology; it initially started in the early 2000s with the Navy to obtain hearing protection.
 - Source: <https://www.audiologyonline.com/articles/otoscan-3d-ear-scanning-future-24421>
- This equipment is generally considered safer than taking physical impressions of the ears (one of the most invasive things an audiologist administers with patients).
 - Source: <https://www.entandaudiologynews.com/development/spotlight-on-innovation/post/leaving-an-impression-otoscan-ear-scanning-solution#:~:text=Yes%2C%20two%20of%20the%20most,completed%20in%20%2D3%20minutes>
- Dentistry has nonradiographic imaging equipment: intraoral scanner.
 - Source:
 - https://www.meetdandy.com/go-digital/?utm_medium=paidsearch&utm_source=google&utm_campaign=demo&utm_content=17678123183_140123091762&utm_term=630774824788&id=9007880-e-g-c--&bk=best%20dental%20scanners&bm=e&bn=g&gclid=Cj0KCQiA2KitBhCIARIsAPPMEhLNQIIYYq0WQVSVKtp9iVXp3HD2JVTkSjr9gStj2ZJ-MCHqtE2AjyUaAn92EALw_wcB
 - https://www.go3dpro.com/aoralscan-3-intraoral-scanner.html?gad_source=1&gclid=Cj0KCQiA2KitBhCIARIsAPPMEhLfQZ-9galjxMeXc_lapJBY8mn6XIBB9vxfyLYvm-LpY9jeBq9-pqQaAuvfEALw_wcB
 - <https://www.3shape.com/en-us/digital-dentistry/intraoral-scanners>
- Optometry has nonradiographic imaging equipment: retinal imaging.
 - Sources:
 - <https://us.medical.canon/products/eye-care/>
 - <https://www.optos.com/products/>
- **Ordering of radiographic imaging**
 - Language clearly excludes the performance of radiographic imaging.
 - Radiologist interprets the imaging.
 - Audiologists can review results and triage patients, if necessary.
 - Can prevent surgical subspecialty providers (e.g., ENTs) from seeing patients who do not need surgery, therefore allowing them to focus on their scope of practice (“Practice of Medicine: diagnosis, healing, treatment, or surgery.”)
 - Sources: HO 14-101 (o) (1)
<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gho§ion=14-101&enactments=false>
 - Language does not allow audiologists to heal or complete surgery.
 - Audiologist in Britian can order imaging. They have master’s degrees in Audiology.
 - Source: <https://www.baaudiology.org/app/uploads/2020/04/Guidance-on-Referral-for-MRI-by-Audiologists.pdf>
 - Chiropractors order x-rays in all 50 states and some advanced imaging.
 - Source: <https://www.radiologytoday.net/archive/rt0810p20.shtml#:~:text=Chiropractors%20in%20all%2050%20states,coverage%20is%20a%20separate%20matter>

No need for audiologists to change their definition.

- The current language needs to be modernized to current terminology, reflecting didactic and clinical training. All providers should be working to their highest scope of practice. Audiologists

are trained didactically and clinically to evaluate, diagnose, manage, and treat auditory and vestibular disorders, helping physicians see individuals who are most needed.

- Shortage of MD/ENTs.
 - Private audiology practices have logged a 5-week waiting period for patients to be seen by an ENT, when necessary. Even when an audiology practice calls an ENT office for sudden hearing loss (which can require trans-tympanic membrane medication treatment) the efforts do not yield an appointment in less than 1 week.
- A MHCC 2023-2026 report states: More than 1.7 million Marylanders reside in primary care and mental health professional shortage areas.
 - Source: https://mhcc.maryland.gov/mhcc/pages/plr/plr/documents/2023/plr_strategic_rpt_2023.pdf
- An NIH study rated Maryland as a 'C' in the physician demand in 2017, with severe shortage estimated in the future.
 - Source: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7006215/>
- The AMA reports a physician shortfall of at least 37,000, and as many as 100,000, over the next decade.
 - Source: <https://www.ama-assn.org/press-center/press-releases/ama-president-sounds-alarm-national-physician-shortage#:~:text=It's%20no%20wonder%20why%20the,100%2C000%E2%80%94%20over%20the%20next%20decade>
- Maryland specific shortages:
 - Gene Ransom was quoted in Baltimore Banner calling the primary care physician shortage the most acute shortage of healthcare providers statewide.
 - Source: <https://www.thebaltimorebanner.com/community/public-health/maryland-doctors-hard-to-find-TGPPWBIXYFCVBIXYA75ASGMWBY/>
 - The Maryland Health Care Commission notes there are only 80 primary care physicians for every 10,000 residents.
 - Source: <https://mhcc.maryland.gov/transparency/PhysicianProfile.html>
 - MedChi (2007) reports physician shortages.
 - Source: <https://www.medchi.org/Portals/18/files/Law%20&%20Advocacy/Initiatives%20Page/Workforce%20Study%20Executive%20Summary.pdf?ver=2009-09-02-040000-000>
- There is also a shortage of ENTs in Maryland.
 - Source: <https://www.enttoday.org/article/some-studies-predict-a-shortage-of-otolaryngologists-do-the-numbers-support-them/?singlepage=1&theme=print-friendly>
- AAO-HNS also reports shortages of ENTs:
 - “We identified cohorts of 8573 otolaryngologists, 1148 NPs, and 895 PAs. There were significantly higher population-controlled densities of otolaryngologists and APPs in urban counties as compared with rural counties. The majority of otolaryngologists (92.1%) and APPs (83.3%) were in urban counties. However, the proportion of APPs (16.7%) in rural counties was significantly higher than the proportion of otolaryngologists (7.9%) in rural counties ($P < .01$). A significant majority of rural counties (72.2%) had zero identified providers, and a greater proportion of rural counties (5.0%) were served exclusively by APPs as compared with urban counties (3.2%).”
 - Source: <https://journals.sagepub.com/doi/10.1177/01945998211040408>
- Expedite care is needed for patients. The wait time to see an ENT, or other specialist, for other triage care is extraordinary and can be detrimental to timely health care access and outcomes.

Same scope at physicians:

- “Practice medicine” means to engage, with or without compensation, in medical diagnosis, healing, treatment, or surgery.
 - Source: https://www.medchi.org/Portals/18/files/Law%20&%20Advocacy/Initiatives%20Page/120413Practice_of_Medicine.pdf?ver=2016-06-24-092029-000
 - HO S14-101 (o) (1) (i), (ii), (iii), (iv).
 - Healing and surgery are **NOT** in the audiology practice language. In fact, surgery is explicitly listed as not within the scope.

Is this about Incomes (not outcomes)?

- Physicians would lose an office visit (E&M code).
 - Visits to a primary provider can yield a diagnosis and treatment plan. Less money is billed to the insurance companies, there is less out-of-pocket costs to the patients in co-pays, co-insurance, deductibles, and non-covered services.

Not recognized for diagnosis, treatment

- Audiologists are already recognized by insurances, including Medicare as diagnostics providers, under Section 1861(II)(3) of the Social Security Act (the Act).
 - Source: https://www.ssa.gov/OP_Home/ssact/title18/1861.htm
- Many third-party payers recognize audiologists as both diagnosticians and treatment providers as the CPT and HCPCS (billing) codes are eligible for coverage/reimbursement.

Other states do not allow this scope.

- See all the above states that allow for diagnose, manage, and treat.
- Veterans Administration Scope of Practice includes “prevention, diagnosis, and treatment...including hearing loss, balance...”
 - Source: <https://www.rehab.va.gov/audiology/#:~:text=Audiologists%20are%20licensed%20health%20care%20professionals,loss%2C%20balance%20impairment%20and%20tinnitus>

Patient safety issues

- Zapala (2010) study from Mayo Clinic Florida summarized:

“Of study patients evaluated for hearing problems in the one-year period of this study, the majority (95%) ultimately required audiological services, and in most of these cases, audiological services were the only hearing health-care services that were needed. Audiologist treatment plans did not differ substantially from otolaryngologist plans for the same condition; there was no convincing evidence that audiologists missed significant symptoms of otologic disease; and there was strong evidence that audiologists referred to otolaryngology when appropriate.”

 - Source: <https://pubmed.ncbi.nlm.nih.gov/20701834/>
- Audiologists in Maryland and around the US have identified results that require additional treatment, often including radiographic imaging. However, audiologists cannot refer for the radiographic imaging and have been sued (the Maryland claim was denied) for not ordering imaging results, as the ENT providers did not feel the results required imaging.

Audiologists are not trained to diagnose, manage, and treat.

- Besides the above-noted educational standards which clearly demonstrate that audiologists are trained to diagnose, manage, and treat, two AuD programs are in Maryland. They are both accredited programs.
 - Towson Curriculum:
 - Diagnostic Courses
 - ACSD 603- Anatomy and Physiology of the peripheral auditory and vestibular systems
 - ACSD 604- Neuroanatomy and Physiology of the central auditory and vestibular systems
 - ACSD 621- Auditory Diagnostics
 - ACSD 723- Auditory Diagnostics II
 - ACSD 743- Electrophysiologic evaluation of the peripheral auditory system
 - ACSD 744- Electrophysiologic Evaluation of the Central Auditory Nervous System
 - ACSD 843- Vestibular Assessment and Rehabilitation
 - ACSD 844- Tinnitus
 - ACSD 845- Vestibular Diagnostics and Treatment Lab
 - Manage/Treat Courses
 - ACSD 622- Auditory Diagnostics Laboratory
 - ACSD 645- Communication and Aging
 - ACSD 690- Audiology Clinic on Campus
 - ACSD 705- Counseling in Audiology
 - ACSD 745- Audiology Clinic on Campus
 - ACSD 746- Audiology Clinic on Campus
 - ACSD 747- Audiology Clinic off Campus
 - ACSD 748- Audiology Clinic of Campus
 - ACSD 753- Pediatrics and Educational Audiology
 - ACSD 751- Hearing Conservation
 - Medical
 - ACSD 606 Pharmacology in Audiology
 - ACSD 607 Genetics in Audiology
 - ACSD 723- Medical Audiology
 - ACSD 853- Cochlear Implants
 - Source: <https://catalog.towson.edu/graduate/course-descriptions/acsd/>
 - UMD Curriculum:
 - Diagnostic courses
 - HESP 606- Basic Hearing Measurements: interpretation of routine audiometric tests.
 - HESP 649A and 649B- Clinical Practice in Audiology: diagnosis and treatment of hearing disorders.
 - HESP 706- Advanced Clinical Audiology: interpretation of test results.
 - Manage/Treat courses
 - HESP 615- Counseling in Communication Disorders
 - HESP 635- Rehabilitative Audiology
 - HESP 645- Pediatric Audiology: treatment of hearing-impaired children.
 - HESP 649A and 649B- Clinical Practice in Audiology: diagnosis and treatment of hearing disorders.
 - HESP 730- Vestibular-ocular Function and Assessment: rehabilitative issues.

- Medical:
 - HESP 632- Medical Audiology: auditory pathologies, assessment and management
 - HESP 710- Industrial and Environmental Noise Problems: Medico-legal aspects of noise-induced hearing loss.
 - HESP 712- Cochlear Implants and Other Implantable Technologies: medical/surgical aspects.
- Source: [https://hesp.umd.edu/undergraduate/program-highlights-doctoral-program-clinical-audiology-\(caud\)](https://hesp.umd.edu/undergraduate/program-highlights-doctoral-program-clinical-audiology-(caud))